

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**CURT KRAMER,  
POWER UP LENDING GROUP, LTD.,  
GENEVA ROTH REMARK HOLDINGS, INC.,  
and 1800 DIAGONAL LENDING, LLC,**

**Defendants.**

**Civil Action No.  
24-cv-03498 (ER)**

**STIPULATION TO DISMISS AND RELEASES**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Securities and Exchange Commission (the “Commission”) and Defendants Curt Kramer, Power Up Lending Group, Ltd., Geneva Roth Remark Holdings, Inc., and 1800 Diagonal Lending LLC (collectively, the “Defendants”) hereby stipulate and agree as follows:

**WHEREAS**, the Commission filed a Complaint in this civil enforcement action (the “Litigation”) on May 7, 2024;

**WHEREAS**, the Defendants filed a motion to dismiss the Commission’s claims on August 23, 2024, which has been fully briefed since October 15, 2024, and remains pending;

**WHEREAS**, in the exercise of its discretion and as a policy matter, the Commission believes the dismissal of this case with prejudice is appropriate;

**WHEREAS**, the Commission’s decision to seek dismissal of this Litigation does not necessarily reflect the Commission’s position on any other case; and

**WHEREAS**, the Commission and the Defendants agree to have this Litigation dismissed on the terms set forth herein.

**NOW, THEREFORE,**


1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Commission and the Defendants stipulate and agree that this Litigation shall be dismissed with prejudice as to the conduct alleged in the Complaint through the date of the filing of this Stipulation, and without costs or fees to either party.

2. Defendants, for themselves and any of their agents, attorneys, employees, or representatives, hereby waive and release:

- a. Any and all rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended by Defendant[s] that in any way relate to the Litigation, including, but not limited to, investigative steps taken prior to commencing the Litigation.
- b. Any and all claims, demands, rights, and causes of action of every kind and nature, asserted or unasserted, against the Commission and its present and former officers or employees that arise from or in any way relate to the Litigation, including, but not limited to, investigative steps taken prior to commencing the Litigation.

3. Each of the undersigned represents that they have the authority to execute this stipulation on behalf of the party so indicated.

**STIPULATED AND AGREED:**

  
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Samuel J. Waldon  
Acting Director, Division of Enforcement  
Antonia M. Apps  
Acting Deputy Director, Division of Enforcement  
SECURITIES AND EXCHANGE COMMISSION  
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*Counsel for Defendants*

Dated: March 6, 2025

-and-



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*Counsel for Plaintiff*

*June 18*  
Dated: ~~March~~, 2025